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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,463	06/26/2003	Benjamin Thomas Percer	200208051-1	3495

22879 7590 01/27/2006

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

BHAT, ADITYA S

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,463	PERCER ET AL.	
	Examiner	Art Unit	
	Aditya S. Bhat	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10-14 and 16-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7, 10-14 and 16-22 is/are allowed.
- 6) ☒ Claim(s) 23, 24 and 27 is/are rejected.
- 7) ☒ Claim(s) 25 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/21/2005 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Co et al. (USPN 6,351,827) in view of Forehand et al (USPN 6,316,988).

With regards to claim 23, Co et al. (USPN 6,351,827) teaches a system for voltage margin testing of one or more components of said system, comprising:

a controller internal to said electronic system; (Col.6, lines 13-15) and
a digital voltage adjuster configured to communicate with said controller and to affect generation of one or more test voltages for application to said one or more components in response to commands from the controller; (Col.6, lines 22-26) and

a voltage regulator configured to receive an input voltage and generate a regulated output voltage for application to a power rail, said voltage adjuster being coupled to said regulator for varying said regulated output voltage in response to commands from said controller, (Col.6, lines 19-20) and

Co et al. (USPN 6,351,827) does not appear to teach a hardware monitor in communication with said regulator and said controller, said hardware monitor configured to measure said output voltage of said regulator to determine a measurement value and transmit said measurement value to said controller.

Forehand et al (USPN 6,316,988) teaches a hardware monitor in communication with said regulator and said controller, said hardware monitor configured to measure said output voltage of said regulator to determine a measurement value and transmit said measurement value to said controller (142;figure 2) (col. 4, lines 1-15)

With regards to claim 24, Co et al. (USPN 6,351,827) does not appear to teach the controller is further configured to query said hardware monitor periodically to receive said measurement value and wherein, said controller is further configured to transmit a feedback command to said adjuster based on said measurement value to cause the adjuster to vary the output voltage of the regulator from said measurement value to a selected test value.

Forehand et al (USPN 6,316,988) teaches the controller is further configured to query said hardware monitor periodically to receive said measurement value and wherein, said controller is further configured to transmit a feedback command to said adjuster based on said measurement value to cause the adjuster to vary the output

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voltage of the regulator from said measurement value to a selected test value.

(142;figure 2)

It would have been obvious to one skilled in the art at the time of the invention to modify the Co et al. invention with the Forehand et al. reference to include the above cited features to arrive at the claimed invention in order to adjust the analog voltage source to optimum levels in response to changing environmental conditions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Forehand et al (USPN 6,316,988) in view of Kaufman JR. (USPUB 2004/0249913).

With regards to claim 27, Forehand et al (USPN 6,316,988) teaches system for voltage margin testing of one or more components of an electronic system, comprising:

means for transmitting one or more commands to a means for adjusting a voltage to cause the means for adjusting to affect generation of one or more test voltages at a power rail supplying voltage to said components, (142;figure 2) (col. 4, lines 1-15) and

means for monitoring said computer system to determine a response to each of said test voltages. (142;figure 2) (col. 4, lines 1-15)

Forehand et al (USPN 6,316,988) does not appear to teach implementing an intelligent Platform Management Interface (IPMI) protocol;

Kaufman JR. (USPUB 2004/0249913) teaches implementing an intelligent Platform Management Interface (IPMI) protocol; (Page 1, paragraph 0002)

It would have been obvious to one skilled in the art at the time of the invention to modify the Forehand et al.. invention with the Co et al reference to include an intelligent Platform Management Interface (IPMI) protocol to arrive at the claimed invention in order to provide for remote computer system management over serial, modem and LAN connections. (Page 1, paragraph 0003)

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter: Reasons for allowance for claim 1-7,10-14, 16-22 and 25-26 were stated in the office action that was mailed 6/17/2005.

Response to Arguments

Applicant's arguments with respect to claims 23-24 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee et al. (USPN 2005/0080887) teaches redundant management control arbitration system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 571-272-

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2270. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya S Bhat
May 31, 2005



John Barlow
Supervisory Patent Examiner
Technology Center 2800